

02-04-05

Flux
PATENT

Attorney Docket No.: 28069-606 CON
(Formerly: BHE 3.0-109 (CON))

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Manfred KELLER, *et al.* Art Unit: 1616
Serial No. : 10/628,965 Examiner: Haghighatian, Mina
Filed : July 28, 2003 Confirmation No.: 6183
For : **DRY POWDER FOR INHALATION**

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL TRANSMITTAL

Date of Deposit: February 3, 2005

I hereby certify that the documents and/or fee(s) listed below are being deposited with the United States Patent and Trademark Office as Express Mail bearing Express Mail Label No. **EV 326601460US** under 37 C.F.R. §1.10 in an envelope with prepaid postage on the date indicated above and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Amendment In Response To The Non-Final Office Action Dated November 04, 2004 [9 pgs.];
2. Amendment Transmittal Letter, No Additional Claim Fee Due [1 pg.];
3. Terminal Disclaimer [1 pg.];
4. Check No. 2461 for \$130.00 to cover statutory disclaimer fee;
6. Express Mail Transmittal [1 pg.]; and
7. Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. **50-0311**, Reference No. **28069-606 CON**, Customer No. **35437**.

Signature: *Leslie A. Serunian*

Printed Name: Leslie A. Serunian

Dated: February 3, 2005

Leslie A. Serunian

Leslie A. Serunian, Reg. No. 35,353

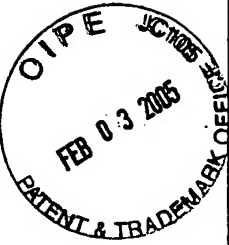
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AMENDMENT TRANSMITTAL LETTER			Docket No. 28069-606 CON (Formerly: BHE 3.0-109 (CONT))
Serial No. 10/628,965	Filing Date July 28, 2003	Examiner Mina Haghighatian	Group Art Unit 1616

Applicants: Manfred KELLER, *et al.*

Invention: **DRY POWDER FOR INHALATION**

TO THE COMMISSIONER FOR PATENTS

MAIL STOP AMENDMENT

Transmitted herewith is an Amendment and response in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest # Previously Paid	# Extra Claims Present	Rate	Additional Fee	
Total Claims	40	- 40 =	0	x \$50.00	\$0.00	
Independent Claims	4	- 4 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						
Total					\$0.00	
Small Entity Reduction (-50%):						
TOTAL ADDITIONAL CLAIM FEE FOR THIS AMENDMENT					\$0.00	

- ☒ Large Entity ☐ Small Entity
- ☒ No additional claim fee is required for amendment.
- ☐ Please charge Deposit Account No. 50-0311 in the amount of _____ .
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$0.00 to cover the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0311 (Docket No. 28069-606 CON) as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 C.F.R. 1.16 and 1.17.

Leslie A. Serunian Dated: February 3, 2005
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